IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Bail Appl..No. 1311 of 2007()

C.R. NO. 30/06 OF MALLAPPALLY EXCISE RANGE

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PETITIONER/2ND ACCUSED

K.K.MANOJ, S/O. KAMALASANAN,
KOLATHUVADAKKETHIL, RENJUVILASOM VEEDU,
ANJILITHANAM MURI, KUNNATHANAM VILLAGE,
MALLAPPALLY TALUK.

BY ADV. SRI.P.HARIDAS

RESPONDENTS: STATE/COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. EXCISE INSPECTOR,
MALLAPPALLY EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 1311 of 2007

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DATED: 09-03-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the 2nd accused in C.R. No. 30/06 of Mallappally Excise Range for offences punishable under Sec. 55(a) of the Abkari Act for allegedly having been found in possession of 30 liters of rectified spirit on 4-11-2006 in the toddy shop of which the petitioner is a licensee, seeks his enlargement on bail. Petitioner was arrested on 30-01-2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Considering the gravity of the offence and the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner only with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 19-3-2007 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount

to the satisfaction of the J.F.C.M.-I, Thiruvalla, and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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